

CITY OF ALAMEDA California

REGULAR MEETING OF THE CIVIL SERVICE BOARD 5:00 PM, WEDNESDAY, JULY 2nd, 2008 ALAMEDA CITY HALL 2263 SANTA CLARA AVENUE, ROOM 360, ALAMEDA, CALIFORNIA

AGENDA

- Call to Order.
- 2. ROLL CALL: Members Michael Rich, Avonnet Peeler, Roberto Rocha, Linda McHugh, Peter Horikoshi and Executive Secretary Karen Willis.
- 3. MINUTES: The Minutes of the Regular Meeting of April 2, 2008.
- 4. <u>CONSENT CALENDAR</u>: Items listed on the Consent Calendar are considered to be routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is made by one of the Civil Service Board members or a member of the public.

SUMMARY REPORT FOR EXAMINATION ELIGIBLE LISTS AND CLASSIFICATIONS FOR THE MONTHS OF APRIL, MAY, JUNE, 2008.

4-A	ELIGIBLE LIST ESTABLISHED Information Systems Operation Technician Permit Technician I	DATE ESTABLISHED 6/25/2008 6/26/2008	EXAM NO. 208-13PR 208-17PR
1-R	ELIGIBLE LIST EXTENDED	DATE ESTABLISHED	EXAM NO.
ם ד	Administrative Technician II	12/18/2007	207-71
	Firefighter	7/2/2007	207-37
	Fleet Mechanic	5/4/2007	207-15
	Jailer	12/3/2007	207-56
	Police Officer (Attendee/Graduate)	9/15/2007	207-52
	Police Officer (Lateral)	11/10/2007	207-53
	Police Sergeant	11/14/2006	206-52PR
	Program Specialist II (Clean Water Program)	11/2/2006	206-48
	Utility Analyst/Asst Utility Analyst	12/11/2007	207-63
4-C	ELIGIBLE LIST EXPIRED/CANCELLED/ EXHAUSTED	DATE ESTABLISHED	EXAM NO.
	CATV Network Engineer	5/24/2007	207-22
	Construction Inspector & Survey Supervisor	6/9/2006	206-22PR
	Crime Analyst III	12/11/2007	207-64
	Deputy City Attorney II	5/31/2006	206-16
	Development Manager	12/4/2007	207-57
	Distribution Engineer	12/5/2007	207-65
	Electrical Engineer	11/13/2007	207-41R
	Electrical Maintenance Technician	12/13/2007	207-62

Journey Lineworker	1/31/2008	208-05
Office Assistant	6/20/2007	207-39
Planning Services Manager	9/19/2007	207-48
Public Safety Dispatcher (Entry)	6/28/2007	207-28
Sales and Service Supervisor	6/7/2007	207-23
Senior Account Clerk	5/10/2007	207-21R
Senior Electrical Engineer	11/13/2007	207-10PR

5. **REGULAR AGENDA ITEMS**

- 5-A Activity Report Period of March 1, 2008 May 31, 2008
- 5-B Civil Service Ordinance Revision
- 5-C Rules Review- Language

6. ORAL COMMUNICATIONS, NON-AGENDA (PUBLIC COMMENT)

(Any person may address the Civil Service Board in regard to any matter over which the Civil Service Board has jurisdiction or of which it may take cognizance that is not on the agenda).

7. CIVIL SERVICE BOARD COMMUNICATIONS (COMMUNICATIONS FROM BOARD)

8. CIVIL SERVICE BOARD COMMUNICATIONS (COMMUNICATIONS FROM STAFF)

9. **ADJOURNMENT:**

PM

****NOTE**** Sign language interpreters will be available upon request. For persons with hearing difficulty, an FM amplifying system is available in the Council Chambers. Accessible seating for persons with disabilities (including those using wheelchairs) is available. Minutes of the meeting can be made available in enlarged print, on advance request, and in disk form. In addition, readers can be made available upon advance request. Please contact the Human Resources Department, at (510) 747-4900 at least 72 hours prior to the meeting to request an interpreter, agenda materials in an alternative format, or any other reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.

ACTIVITY REPORT - MARCH 1, 2008 through MAY 31, 2008

FULL-TIME HIRES

DATE	DEPARTMENT	JOB CLASSIFICATION
03/03/08	Alameda Power & Telecom	Distribution Engineer
03/10/08	Alameda Power & Telecom	Journey Line Worker
03/17/08	Alameda Power & Telecom	Electrical Maintenance Technician
03/17/08	Police	Jailer
03/17/08	Police	Police Officer
04/08/08	Public Works	Junior Engineer
04/14/08	Public Works	Junior Engineer
04/21/08	Police	Police Officer
05/12/08	Fire	Senior Account Clerk

PROMOTIONS

DATE	DEPARTMENT	JOB CLASSIFICATION
03/03/08	Public Works	Public Works Supervisor
05/25/08	Fire	Fire Captain (3)

RETIREMENTS

DATE	DEPARTMENT	JOB CLASSIFICATION
03/07/08	Alameda Power & Telecom	Support Services Clerk II
04/18/08	Public Works	Associate Civil Engineer
05/25/08	Police	Police Sergeant
05/28/08	Alameda Power & Telecom	Utility Construction Foreperson
05/31/08	Alameda Power & Telecom	Senior Utility Analyst

SEPARATIONS

DATE	DEPARTMENT	JOB CLASSIFICATION
03/07/08	Development Services	Marketing Specialist
03/13/08	Development Services	Redevelopment Manager
03/26/08	Housing Authority	Senior Clerk
05/23/08	Housing Authority	Housing Assistance Manager
05/30/08	Planning/Building	Planner I

CITY OF ALAMEDA ORDINANCE NO. <u>2130</u> New Series

ADOPTING AN ORDINANCE REVISING THE CIVIL SERVICE SYSTEM OF THE CITY OF ALAMEDA AND REPEALING ORDINANCE NO. 642 N.S. AND ALL AMENDMENTS AND REVISIONS THERETO

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALAMEDA that:

<u>Section 1.</u> <u>Purpose.</u> It is the purpose of this ordinance to facilitate competent and efficient administration of the government of the City of Alameda through provision for making appointments based upon merit and fitness, and provision for such security of tenure as is compatible with efficiency and discipline.

<u>Section 2.</u> <u>Civil Service Merit Principles.</u> In accordance with Article XIII of the City Charter, this Ordinance establishes a Civil Service Merit System for the City of Alameda. In order to assure effective personnel management applicable to all categories of Civil Service Employees, governing officials of the City of Alameda will subscribe to the following Civil Service Merit Principles.

Merit Principle No. 1:

Recruiting, selecting and advancing of employees on the basis of their relative ability, knowledge, and skills, including open competitive consideration of qualified applicants for initial appointment.

Merit Principle No. 2:

Retaining employees on the adequacy of their performance, correcting inadequate performance, separating employees whose inadequate performance cannot be corrected.

Merit Principle No. 3:

Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to race, religious creed, color, national origin, ancestry, sex, age, disability physical handicap, medical condition, or marital status or sexual orientation (except for job related requirements) and with proper regard for their privacy and constitutional other rights as citizens afforded by law.

Merit Principle No. 4:

Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination of office.

Section 3. Board Meetings. The Civil Service Board shall hold regular meetings at such time and place as shall be designated by the Board. In addition, the Board may hold special meetings upon call of the Chairman or any three members of the Board. A notice of all regular meetings will be published at least five days prior to the meeting. A vote of three members is required to take any action. All motions receiving a tie vote will be continued on the agenda for the first regular following meeting. The Personnel Officer Human Resources Director, City of Alameda, shall serve as the Executive Secretary of the Board.

Section 4. Scope of the Civil Service Program. The Civil Service of the City of Alameda shall consist of all positions of employment and offices (hereinafter designated as positions) of or under jurisdictions of the City of Alameda, except:

- (a) All offices or positions exempted by the Charter of the City of Alameda.
- (b) The officers and/or members of all boards created by the Charter or by the ordinance.
- (c) Assistant City Manager, Deputy City Manager and A all City Department Heads that report to the City Manager, including, but not limited to, the City Attorney, City Manager, Assistant City Manager, Public Works Director, City Engineer, Planning Director, Finance Director, City Clerk, Recreation and Parks Director, City Librarian, Fire Chief, Police Chief, Bureau of Electricity General Manager and Chief Engineer, Assistant General Manager, Engineering Manager, Operations Manager, Computer Services Manager, General Services Manager, Finance Manager, Commercial Manager, and any other similar Department Head positions.
- (d) All uncompensated positions.
- (e) All part-time or temporary positions.
- (f) All personnel hired in conjunction with a State of Federally funded program or other specially funded projects.
- (g) All persons or agencies employed to render professional, scientific or expert service of an occasional or exceptional character—usually on a contract basis for a designated period of time.

Section 5. Exemption. At the request of the Council as to any position under its authority or under the authority of the City Manager, the Civil Service Board shall have power to exempt from the Civil Service of the City of Alameda any position therein, such exemption to continue until revoked by the Civil Service Board. Such exemption shall be made only when the position is of a confidential nature, or when it is impossible to determine fitness by competitive examination.

<u>Section 6.</u> <u>Implementation.</u> The Civil Service System established by this ordinance shall be implemented under such Civil Service Rules governing administration as adopted by the Civil Service Board.

The <u>Personnel Officer Human Resources Director</u> shall have the responsibility and authority to implement the provisions of the ordinance, the Civil Service Rules, and the decisions of the Board.

- <u>Section 7.</u> <u>Civil Service Rules.</u> The Civil Service Rules shall establish regulations governing the Civil Service System, including:
 - (a) Preparation, implementation, revision, and maintenance of a position classification plan, including reclassification, class specifications, employment standards and qualifications for each class.

- (b) Public announcement of examinations and acceptance of applications for employment.
- (c) Preparation and conduct of competitive examinations and the use of the resulting eligibility lists.
- (d) Certification and appointment of persons from eligibility list, and the making of temporary and emergency appointments.
- (e) Evaluation of employee's performance.
- (f) Transfer, promotion, demotion, reinstatement, separation, and lay-off of employees in the Civil Service.
- (g) The granting of leaves of absence from positions in the Civil Service.
- (h) Methods for appeal regarding disciplinary action of employee's rights defined by the Civil Service Ordinance.

<u>Section 8.</u> <u>Discipline and Appeal.</u> A <u>permanent_regular</u> Civil Service employee may be dismissed, removed, demoted for disciplinary reasons, or suspended without pay only when given advance notice in writing, of the proposed action. The requirement of notification shall be waived whenever such a delay in action could be harmful to the public or to other employees.

A permanent regular Civil Service employee who has been fined in excess of one month's salary or suspended without pay for more than thirty days may appeal to the Civil Service Board. The Board will consider the request for a hearing, and will hear the appeal under the provisions set forth in the Civil Service Rules.

Section 9. Board Powers and Actions. In addition to the powers granted herein, the Civil Service Board shall have the power to require assistance from officers and employees of the City of Alameda, as may be necessary or proper to carry out the duties imposed on the Board.

In the conduct of hearings, the Board may:

- (a) Issue subpoenas requiring attendance of witnesses and production of records, documents or other materials before it.
- (b) Administer oaths and affirmations.

Section 10. Written Notice. Any written notice required to be given to any employee by the provisions of this ordinance, unless herein otherwise specifically provided, may be given either by personal service or by mail. In the case of service by mail, the notice must be deposited with in the United States Post Office at Alameda, California, in a sealed envelope, with postage prepaid, addressed to the person on whom it is to be served, at the address in any notice given by him or at his last known address, and if there is no last known address, then addressed to him at the City of Alameda. Service by mail shall be deemed complete at the time of the deposit with in the Post Office.

- <u>Section 11.</u> <u>Right to Contract for Special Services.</u> Nothing in this Ordinance shall be deemed to prevent the City of Alameda from contracting for any type or category of service, including, but not limited to, special or technical services related to personnel employment and administration.
- Section 12. Severability. If any clause, sentence, paragraph, or part of this Ordinance, or the application thereof to any person or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved.
- Section 13. This Ordinance may be cited as "THE CIVIL SERVICE ORDINANCE OF THE CITY OF ALAMEDA."
- <u>Section 14.</u> This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.
- Section 15. Upon the effective date of this Ordinance, City of Alameda Ordinance No. 642 N.S., and all amendments and revisions thereto, relating to establishing and regulating the Civil Service System of the City of Alameda, shall be fully and completely repealed.

ARTICLE VII. ELIGIBLE LISTS

Section 1. ESTABLISHMENT OF LISTS

As soon as possible after the scoring of the examination, the names of those applicants who passed the examination shall be placed on an eligibility list in the order of final ratings received, from the highest score down to the lowest passing score. Prior to finalizing examination scores, qualified veterans shall be awarded an additional five (5) points in the examination process. applicant qualifies as a veteran if honorably discharged from active military, reservist, or National Guard duty of at least 18 consecutive months within the past five (5) years of the date of application. In cases of discharge attributable to service-connected injuries or illnesses, the 18 months active duty requirement need not be fulfilled. Whenever identical ratings are received, the applicant receiving the highest rating on the most heavily weighted portion shall be given priority. If there is no written portion to the examination, the examination announcement shall state the basis for the breaking of ties.

For recruitments which require continuous examination, the Human Resources Director may authorize an eligible list to be established, to which additional names may be added, and certified to the hiring authority to make an appointment.

For a regular or part-time employee serving either in a civil service or non-civil service capacity, who successfully completes a City-sponsored police academy or apprenticeship program, the Human Resources Director may place the employee's name on a civil service-covered classification eligible list for which the employee is qualified.

Section 2. <u>EMPLOYEES LAID OFF GIVEN PREFERENCE</u>

Upon written application to the executive secretary, a permanent employee who is on lay-off status shall be entitled to have his/her name entered in the first place upon the eligible list, for the class to which his position belonged. If more than one person is laid off in a single class, the position of names on the list shall be in inverse order of lay-off, or in accordance with the employees' relative service value to the City as determined by work history, performance record, or other pertinent evidence, as interpreted by the appointing authority.

Section 3. <u>ELIGIBILITY FOR REINSTATEMENT</u>

Upon written request to the Executive Secretary, an employee who has attained permanent status within the Civil Service and has resigned in good standing may, within one year after the effective date of his or her resignation, be recertified without competitive examination for consideration for rehire to a position in the same class. In addition, the actual rehiring of such recertified employee must take place within one year after the effective date of his or her resignation.

Section 4. <u>DURATION OF ELIGIBLE LISTS</u>

- (a) An Eligible List, or an individual name placed on a continuous examination Eligible List, will become effective upon approval by the Executive Secretary of the Board and shall remain in effect for a period of six (6) months, unless extended, or canceled because it no longer meets the needs of the City.
- (b) Eligible Lists may be extended by the Personnel Director for additional six-month periods, but in no event shall these lists remain in effect for more than two years.
- (c) Names appearing on the Eligible List by reason of lay-off shall remain effective for two years from the date of separation.



MINUTES OF THE REGULAR MEETING OF THE CIVIL SERVICE BOARD OF THE CITY OF ALAMEDA WEDNESDAY, April 2, 2008

- 1. The meeting was called to order at 5:07 p.m.
- 2. ROLL CALL: Board Members Michael Rich, Avonnet Peeler, Linda McHugh, Peter Horikoshi and Executive Secretary Karen Willis.

ABSENT: Roberto Rocha

STAFF PRESENT: Jill Kovacs, Senior Management Analyst, Chris Low, Senior Management Analyst, and Stacey Meier, Administrative Technician I, Human Resources.

OTHERS IN ATTENDANCE:

3. MINUTES: The minutes of the regular meeting of January 9, 2007 were presented for Board approval. Member Peeler moved to accept, Member McHugh seconded, and carried by a

4-0 vote.

4. **CONSENT CALENDAR:**

Member McHugh moved to accept the consent calendar, Member Peeler seconded and carried by a 4 -0 vote.

SUMMARY REPORT FOR EXAMINATION ELIGIBLE LISTS AND CLASSIFICATIONS FOR THE MONTHS OF JANUARY, FEBRUARY, MARCH 2008.

4A.	ELIGIBLE LIST ESTABLISHED	DATE ESTABLISHED	EXAM NO.
	Journey Lineworker	1/31/2008	208-05
	Junior Engineer	2/12/2008	207-68
	Police Officer (Academy Grad/Attendee)	2/2/2008	208-07
	Public Works Supervisor	2/11/2008	207-70

4B.	Combination Building Inspector Division Chief Fire Apparatus Operator Fire Building Code Compliance Officer Intermediate Clerk Police Lieutenant Police Officer (Recruit)	DATE ESTABLISHED 8/22/2007 10/3/2007 9/20/2006 3/12/2007 10/23/2007 9/5/2007 3/5/2007	EXAM NO. 207-42 207-16PR 206-08PR 207-17 207-50 207-51PR 206-76
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4C.	ELIGIBLE LIST EXPIRED/CANCELLED/	DATE ESTABLISHED	EXAM NO.
	EXHAUSTED		
	Assistant City Attorney II	12/19/2007	207-74PR
	Development Coordinator	8/3/2007	207-32
	Electrical Helper	9/13/2006	206-47
	Executive Assistant	10/30/2007	207-49

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Reconstruction Specialist II	7/12/2007	207-46PR
Senior Clerk	3/15/2007	207-06
Stock Clerk	2/28/2007	207-19
Supervising Librarian (Children's Services)	1/17/2007	206-49

1/5/2007

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5. **REGULAR AGENDA ITEMS**

Transportation Coordinator

City of Alameda

5-A Activity Report - Period of December 1, 2007 - February 29, 2008

Board Member Peeler asked if there is a new list for Firefighter since nine had been hired from the current list. Executive Secretary Willis stated that the current list has expired and the Fire Department will most likely send a request to fill more vacancies. She also stated that the department is fully staffed with Paramedics and can now recruit for Firefighter-EMT.

Board President Michael Rich asked whether any of the separations were for any specific cause. Executive Secretary Willis stated that they were both voluntary quits.

Board President Rich stated that he knows of the City's budget problems and asked how many current vacancies there are. Executive Secretary Willis stated that she did not know without running a report but that most of the vacant positions are unfunded so quite a few would show up. Board President Rich stated that it looked like quite a few people had been hired in the last couple months and asked if those people would be let go in the event of layoffs. Executive Secretary Willis stated that the City is looking at offering Golden Handshakes or transfers to open positions. She explained that layoffs are a last resort, but that it depends on the position and where cuts are needed.

5-B Reclassification – From Executive Assistant to Administrative Technician III

Board Member Peeler stated that she would like job descriptions from both positions in the future to be able to compare them. Executive Secretary Willis stated that in the future, job descriptions for both classes would be included in the Meeting packet. Board Member McHugh asked how long the incumbent had been performing the responsibilities of an Administrative Technician III. Jill Kovacs explained that her duties had evolved over time and that she had been performing payroll for the Fire Department, which is extremely complicated, and had been less and less available to support the Chief because of this. Board Member McHugh asked why we are just now seeing the reclassification if she has been doing the job duties since September of 2006. Jill Kovacs explained that she was given acting pay compensation and that the department didn't want to reclassify her permanently until they were sure of the organization structure. Executive Secretary Willis reminded the Board of the recent issue with a previous reclassification, and that there had been a question as to when it is a reclassification and when the position is opened for promotional recruitment. She explained that a promotional recruitment allows all current employees to apply and gives everyone an opportunity, whereas a reclassification is for a specific individual when they are the only one qualified to do the job. She stated that a person must have been doing the job for one year to qualify for the reclassification.

Member McHugh moved to accept the reclassification, Member Peeler seconded and carried by a 4-0 vote.

5-C Request to Amend Civil Service Rules- Article VII, Section I. Eligible Lists

Member Peeler asked if the rule change would apply to both formal and informal training and stated that the either/or implies that there is another category. Executive Secretary Willis stated that they only had two positions in mind, Police Officer Recruit and Apprentice Lineworker, and wanted to cover both. Member McHugh stated that she is ok with the way the change is written but requested a list or reference to specific positions in the rules.

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The Board approved the change with the understanding that the Rules would be modified to read "...who successfully completes a City sponsored police academy or apprenticeship program...". Board Member Peeler moved to amend the Rules, Member Horikoshi seconded and carried by a 4-0 vote.

5-D Rules Review- Language

Executive Secretary Willis presented the Board with Article 1, Section 2 of the Civil Service Rules which showed all changes that had been made. She stated that she had spoken with the City Attorney and that her response was that "equal opportunity" was broader than "affirmative action", however she has not had the chance to put it in writing. Board President Rich stated that Affirmative Action isn't illegal, and that he feared that people would think that the City is getting rid of its Affirmative Action program. Board Member Horikoshi arqued that Affirmative Action programs of any kind are prohibited by State Law. Board President Rich stated that if you tailor it correctly it would not be illegal and that other agencies have them. He stated that he is hesitant to get rid of it without a letter from the City Attorney, and asked Executive Secretary Willis to write a letter from staff explaining why it is being removed from the Rules. Executive Secretary Willis stated that the City recruits as broadly as possible and places ads in publications that target specific groups such as Public Safety job fairs. Board Member Horikoshi stated that he would like the "affirmative action" language to be removed from the Rules. He explained that he doesn't want people to get the wrong idea that the City has an Affirmative Action program. After some discussion Board President Michael Rich moved to accept the modification to the Rules with the exception that the words "affirmative action" is left in, Member McHugh seconded and carried by a 4-0 vote.

Executive Secretary Willis presented the Board with the Civil Service Ordinance for their review. She stated that due to past discussion the subpoena wording had been left in Section 9. She explained that the Ordinance would be placed on the agenda for the next City Council meeting and that it has to go before Council twice, once to notice them and the second time for Public hearing.

Board Member Peeler stated that she would like to propose replacing "handicap" with "disability". Executive Secretary Willis stated that the Ordinance would then have to go on the Civil Service Agenda again to make the change.

Board Member Horikoshi asked what the difference between "permanent" and "regular" was when referring to employees. Executive Secretary Willis explained that employees are hired under the Civil Service process but do not have Civil Service rights until after they have completed the probationary period. They then become "regular employees".

6. ORAL COMMUNICATIONS, NON-AGENDA (PUBLIC COMMENT)

(None)

7. CIVIL SERVICE BOARD COMMUNICATIONS (COMMUNICATIONS FROM BOARD)

Board Member Horikoshi stated that he had received a letter from former part-time employee John Shaterian regarding his termination as mail carrier as well as the electric vehicles. Board President Michael Rich shared that he called Mr. Shaterian and and explained to him that because he was a part-time employee he wasn't covered under the Civil Service Rules. Mr. Shaterian said that he would think about coming back to work for the City if he was allowed to drive the car. He stated that he was concerned about driving the electric vehicles because of the safety or lack there of. Executive Secretary Willis stated that the department has since hired someone new but that they would consider rehiring Mr. Shaterian if he wanted to come back.

Board Member Peter Horikoshi inquired as to how tough the Cities budget situation is currently. Exceutive Secretary Willis stated that the City is in a 4 million dollar shortfall, but is working on resolving that shortfall. She also shared that the City is looking at a 5-7 million dollar shortfall in the next fiscal year. She stated that the City is not getting as much in the way of revenues as they had hoped transfer

taxes because of the current mortgage crisis, retail downfalls, etc. She also shared that the 8% reduction in budgets could impact staffing but that the City is currently looking at other options.

8. <u>CIVIL SERVICE BOARD COMMUNICATIONS (COMMUNICATIONS FROM STAFF)</u>

Executive Secretary Willis presented the Board with a letter from the City Attorney regarding Housing Authority employees and the fact that they would be covered under the Civil Service Rules and that the City would in fact honor this.

9. There being no further business to come before the Board, the meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Karen Willis Human Resources Director & Executive Secretary to the Civil Service Board